United Nations S/2000/386

Security Council

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Letter dated 5 May 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to refer to my letter dated 31 March 2000 (S/2000/273) and regret to inform you of the resumption on Friday, 5 May 2000, of fighting between troops of the regular armies of Rwanda and Uganda in the Congolese town of Kisangani, which has been under the control of these armies since the beginning of the aggression against my country.

My Government wishes to draw the Council's attention to the fact that these violent clashes are taking place under the same circumstances as those in which the same protagonists clashed in August 1999 in the same town. The clashes that took place last year, in violation of the ceasefire to allow Congolese children to be vaccinated, were over control of the town and its wealth. The resumption of fighting today is not by chance. It is the result of Uganda's determination to regain control over the diamond trade in the region around the town.

My Government is deeply concerned at these clashes which are taking place at this very moment and which have already caused innocent victims among Congolese civilians, including more than 10 deaths and hundreds of injuries.

What is even more serious is the fact that these clashes are taking place while the belligerents observe a ceasefire prior to the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and at a time when these two aggressor countries are preparing to receive an important Security Council mission headed by Ambassador Richard Holbrooke.

My Government notes with regret that this repeat of their conduct by Rwanda and Uganda is a logical consequence of the Security Council's refusal to condemn the armed aggression committed by these two countries against the Democratic Republic of the Congo.

My Government therefore once again requests the Security Council, as the principal United Nations body for the maintenance of international peace and security, to assume fully its responsibilities and:

(a) Demand an immediate halt to the fighting by Rwanda and Uganda in the Congolese town of Kisangani and the strict observance of the Lusaka Agreement and other related undertakings;

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(b) Unequivocally condemn the aggression by the armed coalition of Burundi, Rwanda and Uganda to which the Democratic Republic of the Congo has been subjected since 2 August 1998 in order to prevent its recurrence;

(c) Take all measures necessary to put an effective end to the illegal exploitation of the riches of the Democratic Republic of the Congo which motivates this war of aggression and invite these two countries to strictly adhere to the Lusaka Agreement and other related undertakings;

(d) Call for the immediate withdrawal of these armed troops from Congolese national territory.

The Government of the Democratic Republic of the Congo asks the Security Council to work tirelessly and to spare no effort so that this horrible situation of war, which is exacerbating the misery of the Congolese people, can be brought to an end as soon as possible.

My Government should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) André **Mwamba Kapanga**
Ambassador
Permanent Representative

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Report of the Secretary-General on the situation in Tajikistan

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1274 (1999) of 12 November 1999. It brings up to date developments in Tajikistan, and the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since the last report, dated 14 March 2000 (S/2000/214).

II. Main developments

2. On 27 April, the newly formed bi-cameral parliament convened its first joint session. The election to the 33-seat National Assembly (upper house) was held, as scheduled, on 23 March and, in accordance with the Constitution, 25 deputies were elected by local assemblies and 8 were appointed by the President. The by-elections for the remaining two seats in the Assembly of Representatives (lower house), which were supposed to be held at the end of April, have not yet taken place. The Central Commission on Elections and Referenda has not yet announced a date.

3. S. Abdullo Nuri, leader of the United Tajik Opposition and Chairman of the Commission on National Reconciliation, held the last session of the Commission on 26 March, in the presence of members of the Contact Group of Guarantor States and International Organizations, and the press. The Minister for Foreign Affairs, Talbak Nazarov, represented the Government side. Both sides acknowledged that some tasks under the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/510, annex I) remained unfinished and should be addressed by appropriate Government bodies. The Commission on National Reconciliation was formally dissolved by presidential decree as from 1 April.

4. The Contact Group of Guarantor States and International Organizations concluded its work on 11 April. In a statement issued on 18 April, the Contact Group recalled that it had been established at the request of the Tajik parties to monitor the implementation of the General Agreement and to provide expertise, consultation and good offices. To that end, it had held more than 130 meetings. The members of the Contact Group expressed their readiness to continue to support Tajikistan in its further efforts.

5. The Mission is proceeding with preparations for its eventual withdrawal. All field stations have been closed, and personnel and equipment withdrawn to Dushanbe. As at 30 April, there were 17 military observers in UNMOT, including medical personnel, who will leave the Mission together with the last group of civilian staff.

III. Overall assessment

6. Since this is the final report on UNMOT, it may be appropriate to reflect briefly on the efforts of the United Nations relating to the situation in Tajikistan since January 1993, when the Mission was established as a small political office in Dushanbe. At the time, the civil war, which had erupted almost immediately following independence in 1991, was still under way. Forces opposing the Government had been driven into neighbouring Afghanistan, and the instability caused by cross-border hostilities was reason for concern in the region. Efforts by successive Special Envoys of the Secretary-General to reach agreement on a ceasefire

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and to resolve problems through political dialogue began to bear fruit in 1994, with the holding of the first round of inter-Tajik talks in Moscow, followed by a second round in Tehran.

7. The political process set in motion by those efforts was accompanied from the start by close cooperation with key Governments. The observers to the inter-Tajik talks, who later formed the Contact Group of Guarantor States and International Organizations, helped greatly in overcoming the crises and setbacks that were encountered in the process. At the first round of talks, a comprehensive agenda was adopted, comprising three clusters of issues related to the achievement of national reconciliation, namely, measures aimed at a political settlement in Tajikistan, the solution of the problem of refugees and internally displaced persons, and fundamental institutional issues and consolidation of the statehood of Tajikistan.

8. The signing, in September 1994, of the temporary ceasefire agreement and the subsequent dispatch of United Nations military observers enabled the United Nations to interact directly with local actors to support the political process also on the ground. At the time, the peacekeeping forces of the Commonwealth of Independent States (CIS) were already deployed in the country, although their mandate did not cover the confrontation between the Government and the opposition. From the start, UNMOT enjoyed excellent relations with the CIS forces, as well as the Russian border forces in Tajikistan.

9. The inter-Tajik talks went through many crises and were often stalled over secondary questions by one or the other party, in order to gain time while political or military developments ran their course. For more than a year after the signing of the ceasefire agreement there was no serious, sustained fighting in the country. However, starting in July 1995, opposition forces began to make their way back from Afghanistan into the central region of the country. Early in 1996, the opposition launched an offensive in the Tavildara region and, by July 1996, the ceasefire had all but collapsed. Throughout that period, political dialogue was maintained with the help of interested Governments, notably the Russian Federation and the Islamic Republic of Iran. The signing, in December 1996, of the Khusdeh Agreement between President Rakhmonov and Mr. Nuri effectively restored the ceasefire agreement, paving the way for the rapid succession of agreements which culminated in the signing of the General Agreement on the Establishment of Peace and National Accord on 27 June 1997.

10. The security of its personnel was an overriding concern for UNMOT in the periods before and after the signing of the peace agreement. UNMOT had to function in a highly volatile environment: it endured two hostage incidents and serious acts of harassment and lost five members to hostile action; a sixth member was killed in circumstances which have yet to be clarified. Consequently, the Mission's freedom of movement and its ability to carry out its mandated function were severely limited for long periods of time. The support of the Security Council was decisive in helping UNMOT through those difficult times.

11. As in other theatres of operation, the timetable for the implementation of the peace agreement, initially set by the parties at 12 to 18 months, turned out to be ambitious and could not be maintained. The protocols that made up the agreements were couched in relatively broad terms, and much of the Mission's work involved assisting the parties in fine-tuning the details. The protocols were also loosely interlinked and the timing of the implementation of the political and military aspects was a matter of delicate balancing. Eventually, the date of the parliamentary election, which was dictated by the Constitution, provided the ultimate deadline to which the parties adhered.

12. The United Nations involvement in the peace process in Tajikistan had several characteristics which contributed to its overall positive outcome: the early engagement of the United Nations in the conflict; sustained political support of the Security Council and interested Member States in the region; cooperation with other organizations, notably the Organization for Security and Cooperation in Europe, effective crisis management; and, above all, the clear will of the Tajik people to end the war and pursue a political solution.

IV. Future role of the United Nations

13. From the beginning, the mandated activities of UNMOT were channelled towards a long-term objective, namely, to promote peace and national reconciliation. The reintegration of the opposition into the political life of the country is a big step along that path. The recent parliamentary elections, while advancing the democratic process in Tajikistan, were, in the view of international observers, seriously flawed,

however. Armed elements continue to operate outside the control of the Government, contributing to insecurity. Daunting economic and social problems must also be addressed as a priority. Consequently, the possibility of renewed instability cannot be excluded, owing both to domestic factors and to the unstable situation in the region, notably in neighbouring Afghanistan. The continued support of the international community in the post-conflict phase will be important for Tajikistan's ability to sustain, and build on, the achievements of the peace process.

14. I shall be writing to the Security Council shortly about the possible establishment of a post-conflict peace-building office with the function of addressing institutional, social and economic development in an integrated manner, in order to consolidate peace and promote democracy.

V. Observations

15. Tajikistan is entering into a new phase of nation building, based on national reconciliation. While the United Nations involvement can be rated a success, it was not without its price. It is to be hoped that the achievements of the past years will be consolidated in the further strengthening of the institutions in the country in accordance with accepted democratic standards and the economic and social development of Tajik society.

16. As the mandate of UNMOT comes to an end, I should like to place on record my sincere appreciation for the steadfast support given the Mission by the Security Council, and by the members of the Contact Group. From its inception, UNMOT enjoyed the cooperation of the Government and opposition, and received the support of the Tajik people in its tasks. I trust that this support will be extended to the new political office as well.

17. Finally, I should like to pay tribute to Ivo Petrov, and all his predecessors, chief military observers, as well as the men and women, both international and local staff members, who served in UNMOT. Theirs was a frequently difficult and hazardous assignment. Above all, I should like to pay tribute to our colleagues who gave their lives in the service of peace in Tajikistan. Their sacrifice will not be forgotten.

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Letter dated 5 May 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

The terror of the so-called Kosovo Liberation Army (KLA) against the Serbs and other non-Albanians in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, has intensified in the last couple of weeks. Undaunted by the presence of, and often even aided and abetted by, the Kosovo Force (KFOR) and the United Nations Interim Administration in Kosovo (UNMIK), ethnic Albanian terrorists continue to kill, kidnap, harass and expel Serbs and other non-Albanians, burn and loot their houses, destroy and torch Orthodox churches, desecrate Orthodox cemeteries and annihilate all things Serbian in order to achieve their goal of an ethnically pure Albanian Kosovo and Metohija. The brutal terror of the so-called Kosovo Liberation Army is illustrated by the following incidents:

- On 26 April, ethnic Albanian terrorists desecrated tombstones at the Orthodox cemetery in the village of Glavotina, Municipality of Vučitrn. Some 20 years ago Glavotina was a Serbian village; no Serbian family lives in it today;
- On 28 April, the Serbian cemetery at Ajvalija, near Gračanica, was vandalized. Some 20 years ago Ajvalija was a Serbian village; right before the war it turned into an ethnic Albanian-majority village with over 30 Serbian households and became ethnically pure Albanian after the deployment of KFOR and UNMIK;
- On 28 April, ethnic Albanian terrorists dynamited and destroyed the Orthodox church of St. Nicholas in the village of Grnčar, Municipality of Vitina, built in the sixteenth century. The Serbs suspect that the members of the United States contingent of KFOR took part in the destruction of the church since they lifted regular security of the church and their helicopters hovered above the church 10 minutes before the explosion, preventing the Serbs from saving the church treasures;
- On 29 April, a day before the Orthodox Easter, Milorad Perić, a 50-year Serb from the village of Pasjane, near Gnjilane, was killed by an armed gang of ethnic Albanians who fired three long bursts into him as he was working in the field. The members of KFOR, deployed only a few hundred yards away with the task of protecting the workers in the field, did not react at all;

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- On 29 April, Čedomir Trajković, an 80-year Serb, was brutally beaten at Lipljan. KFOR arrested three ethnic Albanian perpetrators, but set them free half an hour later;

- On 29 April, the house of Serb Ljubiša Stamenović was set ablaze in the village of Devet Jugovića, Municipality of Priština;

- On 29 April, the cafe of Serb Mirko Pržić was set ablaze in the village of Mogila, Municipality of Vitina;

- On 30 April, the terrorists of the so-called Kosovo Liberation Army burned down the family houses of Serbs Živorad Simić and Velibor Stojanović in the village of Klobukar, Municipality of Novo Brdo, beat the family members and 14 other local Serbian residents. They also desecrated the Orthodox cemetery in the village, pulling down tombstones. These acts of vandalism were intended to intimidate the Serbs and drive them out of Kosovo and Metohija;

- On 30 April, ethnic Albanian terrorists hurled a "molotov cocktail" at the house of Serb Vladimir Marković in the village of Mogila, Municipality of Vitina;

- On 30 April, ethnic Albanian terrorists set ablaze the house of Serb Veselin Stanković in the village of Crkvene Vodice, near Obilić;

- On 1 May, ethnic Albanian terrorists made an attempt to kidnap Serbian girl Marina Vučinić in the village of Zupče, Municipality of Zubin Potok, but the neighbours thwarted the atrocity;

- On 2 May, ethnic Albanian terrorists hurled two hand grenades on children gathered in the playground in the village of Crkvene Vodice, near Obilić. Several children were wounded by shrapnel;

- On 2 May, Hadžija Aguši, a 74-year Roma, died from the wounds sustained from a grenade thrown at her house in Gnjilane by ethnic Albanian terrorists three days before. Mrs. Aguši was one of the 35 remaining Roma in the Abdula Preševa settlement in which 3,000 Roma had lived in over 400 households before the deployment of KFOR and UNMIK.

The incidents listed above provide telling evidence of the continuation of violence of the terrorists of the so-called Kosovo Liberation Army against the Serbs and other non-Albanians. The terrorists are emboldened by the attitude of certain quarters in the international community which continue to play down the atrocities and to turn a deaf ear to the warnings of the Government of the Federal Republic of Yugoslavia. The terrorists were not deterred in their criminal activities even by Easter, Christianity's holiest day, and committed some of the most blatant atrocities during the visit of the Security Council Mission to Kosovo and Metohija. There is no doubt that these acts were meant to send a message of their intention, as well as the intention of their mentors, to cleanse all Serbs and other non-Albanians from this Serbian province. The commission of the acts is being carried out in the presence, and often with the helping hand, of the international presences, wherefore these presences bear full responsibility for the violation of Security Council resolution 1244 (1999) of 10 June 1999, failure to carry out their mandate and the obligations to create a secure environment and for a mass violation of the human rights of Serbs and other non-Albanians.

The Government of the Federal Republic of Yugoslavia calls on the Security Council to condemn these crimes and the violation of human rights and to take appropriate measures in accordance with its powers.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanović**
Chargé d'affaires a.i.